REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I.   Telephone Interview

The Applicants would like to thank Examiner Pham for granting and conducting a telephone interview on January 6, 2010 in connection with the above-identified application.

During the interview and as noted in the interview summary, the Examiner (i) acknowledged that the 35 U.S.C. § 112, second paragraph has been overcome in view of the discussion of paragraph [0096] of the specification, and (ii) suggested amending independent claim 13 to include limitations described in steps 503-509 and 511 of Fig. 5 and paragraphs [0074] and [0098]-[0106] of the specification in order to distinguish the claimed invention over the prior art of record.

II.   Amendments to the Claims

Based on the Examiner's helpful comments, as noted above, claim 13 has been amended to include method steps that correspond to steps 503-509 of Fig. 5 in order to further distinguish the present invention from the references relied upon in the rejections discussed below.

In addition, claim 14 has been amended to remain consistent with amended claim 13 and to include a method step that corresponds to steps 510 and 511 of Fig. 5.

Claim 15 has been cancelled without prejudice or disclaimer of the subject matter recited therein.

III.   35 U.S.C. § 112 Rejection

Claims 13-15 were rejected under 35 U.S.C. § 112, second paragraph for reciting "terminating the operation of the (N+1)th download server after the validity period of the Nth CA certificate expires" which is <u>allegedly</u> inconsistent with: (i) paragraphs [0107]-[0111] of the specification; (ii) Fig. 6, (iii) and the limitation "the (N+1)th authentication apparatus and the (N+1)th download server taking place before a validity period of the Nth CA certificate expires. The Applicants do not agree with the Examiner's position.

As discussed during the above-mentioned telephone interview, paragraph [0096] provides a description of the above-mentioned limitation recited in claim 13. Further, as discussed during the interview, paragraph [0109] of the specification recites that "the system operator terminates the operation of the download server after the expiration of the validity period of the CA certificate which was valid until just a minute ago," which means that the recitation denotes terminating the operation of the download server (that is, the (N+1)th download server) after the expiration of the CA certificate (that is, the Nth CA certificate) that was valid unit just a minute ago. This is clarified by Fig. 7, which illustrates the operation of the <u>download server B (the (N+1)th download server in claim 13) being started up before the validity period of the CA certificate A (that is, the Nth CA certificate in claim 13) expires</u>, and illustrates the operation of the <u>download server B being terminated after the validity period of the CA certificate A expires</u>.

Thus, the limitation "terminating the operation of the (N+1)th download server after the validity period of the Nth CA certificate expires," as recited in claim 13 is <u>not</u> inconsistent with the specification, the figures, or the other recitations of the claim.

Therefore, as acknowledged during the telephone interview, this 35 U.S.C. § 112, second paragraph rejection should be withdrawn.

IV.   35 U.S.C. § 103(a) Rejection

Claims 13-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Kenichi et al. (U.S. JP 2002-215826) and Perlman et al. (U.S. 6,230,266). This rejection is believed clearly inapplicable to amended independent claim 13 and the claims that depend therefrom for the following reasons.

As mentioned above and as suggested by the Examiner, claim 13 has been amended to include method steps based on steps 503-509 of Fig. 5. Specifically, amended independent claim 13 recites (1) an Nth operation step of starting up the Nth authentication apparatus to place the Nth authentication apparatus in operation to issue the Nth server certificate, (2) a first revocation determination step of determining whether or not the Nth CA certificate has been revoked before a validity period of the Nth CA certificate expires, (3) a before-validity-period-expiration determination step of determining whether or not a certain point in time before the validity period of the Nth CA certificate expires has arrived, when the first revocation determination step determines that the Nth CA certificate has not been revoked, (4) an (N+1)th operation step of starting up the (N+1)th authentication apparatus and the (N+1)th download server to place the (N+1)th authentication apparatus and the (N+1)th download server into operation, when the before-validity-period-expiration determination step determines that the certain point in time before the validity period of the Nth CA certificate expires has arrived, (5) a second revocation determination step of redetermining whether or not the Nth CA certificate has been revoked before the validity period of the Nth CA certificate expires, (6) a validity-period-expiration determination step of determining whether or not the validity period of the Nth CA certificate has expired, when the second revocation determination step determines that the Nth CA

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certificate has not been revoked, and (7) a termination step of terminating the operation of the Nth authentication apparatus when the validity-period-expiration determination step determines that the validity period of the Nth CA certificate has expired. Kenichi and Perlman, or any combination thereof fails to disclose or suggest the above-mentioned distinguishing features, as recited in amended independent claim 13.

Rather, as discussed during the above-mentioned telephone interview, Kenichi teaches that a renewal program 102 of a certificate is started according to the certificate authority address information of the certificate 101 (see paragraph [0014]). Specifically, Kenichi teaches that the certificate 101 validates the renewal program 102 of another certificate. Furthermore, Kenichi teaches that when there are two certificate issuing authorities that are started up and/or terminated (see Fig. 8).

Thus, in view of the above and as acknowledged during the telephone interview, Kenichi merely teaches that a certificate validates a renewal program of another certificate and teaches that there are two certificate issuing authorities that are started up and/or terminated, but fails to disclose or suggest (1) an Nth operation step of starting up the Nth authentication apparatus to place the Nth authentication apparatus in operation to issue the Nth server certificate, (2) a first revocation determination step of determining whether or not the Nth CA certificate has been revoked before a validity period of the Nth CA certificate expires, (3) a before-validity-period-expiration determination step of determining whether or not a certain point in time before the validity period of the Nth CA certificate expires has arrived, when the first revocation determination step determines that the Nth CA certificate has not been revoked, (4) an (N+1)th operation step of starting up the (N+1)th authentication apparatus and the (N+1)th download server to place the (N+1)th authentication apparatus and the (N+1)th download server into

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operation, when the before-validity-period-expiration determination step determines that the certain point in time before the validity period of the Nth CA certificate expires has arrived, (5) a second revocation determination step of redetermining whether or not the Nth CA certificate has been revoked before the validity period of the Nth CA certificate expires, (6) a validity-period-expiration determination step of determining whether or not the validity period of the Nth CA certificate has expired, when the second revocation determination step determines that the Nth CA certificate has not been revoked, and (7) a termination step of terminating the operation of the Nth authentication apparatus when the validity-period-expiration determination step determines that the validity period of the Nth CA certificate has expired, as recited in claim 13.

Applicants also submit that Perlman fails to disclose or suggest the above-mentioned distinguishing features, as recited in claim 13 that are lacking from Kenichi.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 13 and claims 14 and 15 that depend therefrom would not have been obvious or result from any combination of Kenichi and Perlman.

Furthermore, there is no disclosure or suggestion in Kenichi and/or Perlman or elsewhere in the prior art of record that would have caused a person of ordinary skill in the art to modify Kenichi and/or Perlman to obtain the invention of independent claim 13. Accordingly, it is respectfully submitted that independent claim 13 and claims 14 and 15 that depend therefrom are clearly allowable over the prior art of record.

V.   Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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/Andrew L. Dunlap/

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